



# Comment form

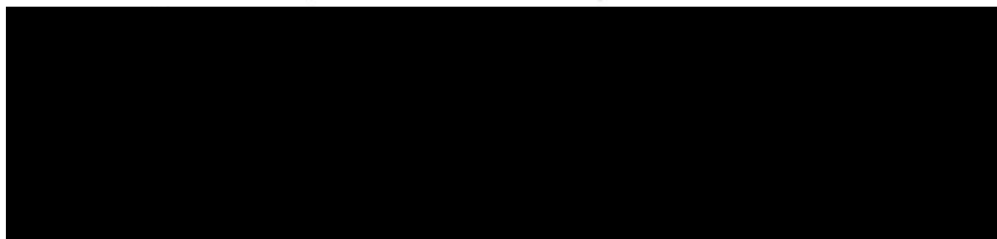
Safe - Public Meetings

Meeting date and time: June 3, 2008; 6:30 - 9:00 pm

Location: BW Kwataquak Resort, Polson, MT

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to Dwane Kailey, Missoula District Administrator, MDT Missoula district office, at PO Box 7039, Missoula, MT 59807-7039.. Comments may also be submitted by fax to (406) 494-4396 or online at [www.mdt.mt.gov/mdt/comment\\_form.shtml](http://www.mdt.mt.gov/mdt/comment_form.shtml).

Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.



Comments: It seems to me the people on 35  
are going after the wrong people. Whenever  
I go to Bigfork I use my cruise control which  
is set at 50 MPH. Every car - Passenger - SUV - PU  
pass me going 60 - 70 MPH. I see by the  
chart that most accidents occur during  
Dry weather - Is this caused by speed  
or inattention. My guess is Speed.  
Most truckers I encounter are doing  
the speed limit but there are some that  
do exceed the limit.

Thank you



RE: Safety Public Meeting – June 5, 2008 – Polson

I attended the meeting held at the BW Kwataqnuq Resort in Polson and disagree with the premise of the Power Point presentation offered by Jim Lynch. All the stats, numbers, graphs, pie charts were very interesting but were based on one invalid assumption – that highways 93 and 35 are similar and only differences in the numbers of trucks, cars, accidents, etc are relevant.

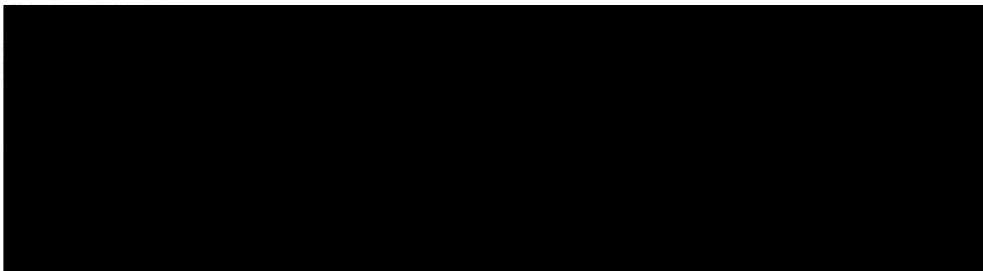
Nothing could be further from the truth. Hiway 35 runs through a heavily residential area, is very few feet from Flathead Lake in several places, and runs through properties supporting numerous springs. Hiway 93 was rebuilt away from the Lake and has many areas which are totally undeveloped. A fuel or toxic accident on Hiway 35 has the potential of much more drastic consequences than a similar accident on Hiway 93. None of the data presented addressed this fact. Simply counting the number of accidents on Hiway 35 does not give a true picture of just how devastating toxic accidents (are there have already been several) are on this highway. This factor must be heavily weighted to arrive at a valid conclusion regarding restricting truck traffic on this road.

Additionally, one of the statements made was that accidents are often caused by vehicles other than the semi-trucks. Exactly the point! If a car strays over the center line when approaching a semi-truck, there is no place for the truck to go. There is no "wiggle-room". Hiway 35 has no shoulders!! Large trucks should not be using this as a main route.

Finally, I can appreciate that the team had only two and a half weeks to create this presentation. However, a sample based on five and a half hours of observations during only one day is hardly representative. I would suggest a much more inclusive gathering of samples be done and conclusions be based on a more thorough data gathering procedure.

I do understand that there is a need for service trucks on Hiway 35, but it should not be the main north/south artery for large trucks. The safety of residents and the pristine quality of Flathead Lake are too critical to allow such traffic.

Thank you for addressing the problem of large trucks on Hiway 35 and for including the public in your consideration.



June 8, 2008

Duane Kailey  
District Administrator  
Montana Department of Transportation  
P.O. Box 7039  
Missoula, MT 59807-7039

RE: Highway 35  
Transporting Hazardous Material  
and  
Large Truck Traffic

Dear Mr. Kailey:

As property owners in the general area between mile markers [REDACTED] on the above referenced State of Montana highway, we have for many years witnessed dangerous conditions resulting from large truck use of this highway, which is not capable of safely providing for their presence and use of the highway. The minimum width of traffic lanes, the minimum width of "shoulders", steep side slopes and seasonal diminished traction, coupled with heavy loads, all provide for unreasonable risks to life safety, private property damage and environmental degradation.

The fact that a recent fuel transport truck accident resulted in all of these dangerous and costly real issues is an absolute proof of the problems resulting from the presence of large trucks transporting hazardous materials on Highway 35. This problem is compounded by the allowance of other large truck traffic on Highway 35. To the best of our knowledge, this most recent large fuel truck accident is not the only large fuel truck accident on Highway 35 resulting in a fuel spill.

There is a practical alternate route for all large truck traffic to utilize. Highway 93 provides for wider traffic lanes, wider shoulder sections and generally a safer modern highway design capable of accepting these types of large trucks.





# Comment form

Safety Public Meetings

Meeting date and time: June 4, 2008; 6:30 - 9:00 pm

Location: BW White Oak Grand Hotel, Kalispell, MT

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to Dwane Kailey, Missoula District Administrator, MDT Missoula district office, at PO Box 7039, Missoula, MT 59807-7039.. Comments may also be submitted by fax to (406) 494-4396 or online at

**[www.mdt.mt.gov/mdt/comment\\_form.shtml](http://www.mdt.mt.gov/mdt/comment_form.shtml)**.

Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Comments: Very impressive research & charts  
know to staff for hard work

Please less non focused talk & keep  
meeting moving. Thank you for the meetings  
could use research on how weight of  
loads impacts road repair/breakup/etc.

I would like to know how "crash" is  
defined for your reports. Vehicle to vehicle?  
single vehicle? vehicle vs deer? drunk  
driving? etc.

If your traffic charts were part of real estate sales less  
you talked about "perception" of traffic vs  
real use facts. But the "nuisance perception"  
of traffic is one of my big concerns. Living  
by a road not safe for people, pets, noise  
levels all day & night.

Montana Department of Transportation



# Comment form

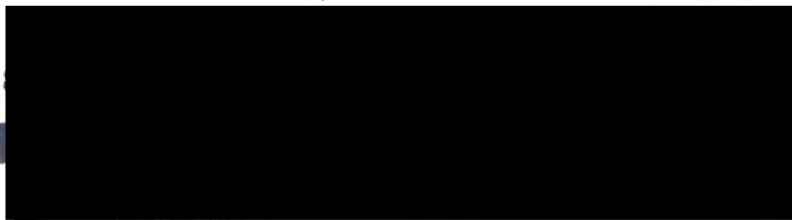
Safety Public Meetings

Meeting date and time: June 4, 2008; 6:30 - 9:00 pm

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You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to Dwane Kailey, Missoula District Administrator, MDT Missoula district office, at PO Box 7039, Missoula, MT 59807-7039.. Comments may also be submitted by fax to (406) 494-4396 or online at [www.mdt.mt.gov/mdt/comment\\_form.shtml](http://www.mdt.mt.gov/mdt/comment_form.shtml).

Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.



Comments: I hear all kinds of talk of getting the trucks off of Hwy 35. Because of speeding or some are too big I drive an A-train, 10 Axles I can't remember one time in 16 years that I myself have caused a problem or been a problem but I see residents of Hwy 35 exceeding the speed limit all the time. I also see residents passing trucks on hills & blind corners about so the car turn into their drive way right in front of Big trucks.

Lets remember, what plows your roads in the winter what delivers your cheeries, what delivers your propane, fire mail & food? If you have it, it came on a truck. What about your houses the Building Material didn't just appear one day out of thin air did it?

I myself have called my dispatch several times about Accidents, Road Conditions in town, dispatch will call the Hwy Patrol. There are several of you who follow me

OVER  
10

down that Hwy in the winter when all  
you can see are my Tracks in the snow. So lets  
not let A Couple of Bad Apples Ruin the whole  
thing, Because you also have a lot to lose if  
the trucks stop running Hwy 35.



June 6, 2008

Montana Department of Transportation  
Dwane Kailey, Missoula District Administrator  
P.O. Box 7039  
Missoula, MT 59807-7039

From: Dave Humphrey, P.O. Box 1708, Polson, MT. 59860

RE: Hwy 35 Comments

Dear Mr. Kailey:

I was extremely impressed by the data distributed by the Department at the meeting on June 5, 2008, in Polson. As Mr. Lynch stated in response to some questions, you accomplished this in two weeks, and while there may be some other data out there, at least you have what you have, and I am grateful for the timely efforts expended.

I came to Polson in 1955, graduated from Polson High School in [REDACTED] so I have some historical perspective on this issue. I recall in 1958, there was discussion about the bridge relocation in Polson to somewhere down river to tie into what is known as the "back road". Only being a sophomore in High School, we were impressed that something like that could be accomplished, but, to the best of my recollection, no data was collected, prepared, or distributed and no public hearings were held, it was just a "proposal" that died. By presentation of the data you produced at the meeting, this surely will have a profound effect upon what happens in this matter, unlike the bridge.

I live at mile marker [REDACTED] so I do have a dog in this hunt. I live at what is perhaps the highest point on 35 before it begins its descent to the lake south of Blue Bay. While out tending my fruit trees (not a commercial venture), I have noticed the increase in truck traffic, and the change of types of trucks now operating on #35. As one example, until sometime in the past year or so, there are flatbed trucks (blue and yellow), two or three per day, loaded going north hauling iron and steel, presumably to Kalispell. I also now notice what I would determine as truck-trailer-pups that haul perhaps bulk cement or fertilizer north bound. Obviously, all of the truck-trailer-pup combinations that are gasoline transports go north loaded, and come back empty. Chipper trucks go south loaded and return empty, logging trucks go both ways, hauling

Comments on #35

[REDACTED]

June 6, 2008  
page 2

smaller logs south to Plum Creek in Pablo, and larger logs north to Columbia Falls or Evergreen. To the best of my knowledge, the only loaded fuel trucks going south are propane tankers, which I believe come from Canada.

Many of the people who are complaining about the situation on #35 are "snow birds" who have purchased their property for what I call their respective "dream" properties. They have purchased, and some have built close enough to the highway that they could sell espresso from their kitchen windows. I have no sympathy for them, as do I for the clusters of homes stacked on the shore just south of Woods Bay, and Woods Bay itself.

For a few weeks in late July into early August, the cherry industry is functioning, and the tourists are stopping at the road-side stands. I travel #35 south to Polson, where my law office is located. While there are many times there is a "Kenworth grill" in my rearview mirror, and I am passed with great regularity by folks with Flathead County plates at excessive speeds, I enjoy driving 50 miles per hour so I can see the deer, turkeys, an occasional bear or elk. I had someone kill a bear with a vehicle on the highway in front of my driveway approximately a month ago. I doubt if that vehicle was within the speed limit. Also, between mile markers 6 and 10 are large groups of wild turkeys. This spring I have noticed a half dozen carcasses on the road in that 4 mile stretch. As we all know, this happens everywhere—and while I have no statistics to support it, I think lower speeds would prevent most of this problem. I am familiar with #93 on the West Shore as well, and I think that perhaps more animals are killed there—between Dayton and north of Lakeside than on all of #35.

#### SUGGESTION AS TO POTENTIAL SOLUTIONS

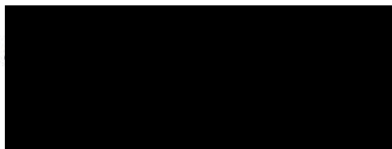
1. That a 35 mile per hour speed limit be placed on #35 between a point just south of Blue Bay to just north of the hill at Bowman's Orchard, and again through Woods Bay to just north of the old Elk Farm. While seasonal requirements are confusing to the public, this could be a speed limit—from June 1 through September 30, which appears to be the more congested time of traffic on #35. We have all seen studded snow tires on vehicles in July and August, but the public as a whole respects the restrictions.

2. "Fulkerson's Corner" at mile marker 4. There a speed limit of #35 from a mile or so west of the corner to the Hell Roaring Creek Road should reduce accidents on that corner. In each of the past two years there have been at least one chipper truck, loaded, going south, that has turned over there. Also, there are two white crosses just north of the corner, so it appears that traffic going both north and south does not respect the danger of that curve.



## COMMENT FORM SAFETY MEETING

JUNE 5, 2008 , KWATAQNUK , POLSON , MONTANA



## COMMENTS:;

I DID NOT SEE A CALCULATION FOR TIME AND FUEL FOR A ROUTE NORTH ON HWY 93 ;THENCE ACROSS RTE 82 ;THEN CONTINUING NORTH ON HWY 35 . IT SEEMS AS IF THIS MIGHT TAKE LESS TIME AND FUEL!

THE EXAMPLE OF A DOT TRUCK GOING FROM POLSON TO PLUM CREEK MAY BE SPECIOUS . THERE ARE MANY OTHER DESTINATIONS FOR TRUCKS ,INCLUDING KALISPELL ITSELF,SUBURBS ,ETC. WE SHOULD NOT BE JUST USING FOREST PRODUCTS AS AN EXAMPLE AND PAINTING THEM AS VICTIMS OF FUEL COSTS AND TIME. FUEL BURN AND TIME WOULD BE LESS FOR OTHER DESTINATIONS.

""FUEL TRUCK DATA"" – THE NUMBERS OF LARGE FUEL TANKERS MAY BE UNDERESTIMATED. THE DATA WAS COLLECTED BETWEEN 7 AM – 1: 30 pm. ANECDOTALLY ,IT SEEMS THAT SOME OF THESE TRUCKS DO HIT THE ROAD UNTIL LATER IN THE DAY AND I HAVE PERSONALLY SEEN THEM MAKING DELIVERIES VERY LATE IN THE EVENING TO AVOID CROWDS AT THE SERVICE STATIONS AND DELIVERY POINTS. A 24 HOUR DATA SAMPLE WOULD BE MORE ACCURATE.

I BELIEVE THAT MORE HOMES ON HWY 35 ARE JUXTAPOSED NEAR THE ROAD, VS THE AVERAGE HOME ON HWY 93 .THIS IS BECAUSE OF THE STEEP TERRAIN DIRECTLY BEHIND 35. THESE FOLKS ARE MORE IMPACTED BY TRUCK TRAFFIC THAN THOSE ON 93.

THERE ARE FOUR [4] TIMES AS MANY MILES [9+] OF HWY 35 WITHIN THE 0-100 YARD ZONE FROM FLATHEAD LAKE AS ON HWY 93!

THE SPEED LIMIT ON HWY. 35 IS INCONSISTENTLY ENFORCED .PERHAPS TRUCKS/TRAILERS ARE DIFFICULT FOR MHP TO SAFELY PULL OVER SO ANYTHING BUT RECKLESS DRIVING GETS A PASS ?.THUS IS ENFORCEMENT SKEWED TOWARDS AUTOS? . THE LARGE TRUCKS, ESPECIALLY FOREST PRODUCTS ,INCLUDING CHIP TRUCKS ROUTINELY EXCEED THE SPEED LIMIT ,TAILGATE ,CROSS THE CENTER LINE ON CURVES AND GENERALLY DRIVE UNSAFELY. PERHAPS SEVERAL DAYS A WEEK AN MHP PATROLMAN COULD ROAM HWY 35 AND JUST CALL IN PLATE #'S TO ANOTHER MHP IN POLSON ,OR BIG FORK AND HAVE THEM PULL THE OFFENDER OVER IN A SAFE AREA.

""ACCESS POINTS "" THERE ARE 80% MORE ACCESS POINTS ON THE E SHORE ,HWY 35 , THAN ON HWY 93. THIS CREATES MANY MORE POSSIBILITIES FOR A DISASTROUS ACCIDENT IN SITUATIONS WHERE A LARGE TRUCK MAY HAVE TO STOP QUICKLY FOR AN ENTERING OR EXITING VEHICLE..THE LEVEL OF SERVICE [D & E ] ON HWY 35 IS ALREADY [2008] MUCH HIGHER THAN ON 93 AND IS SLATED TO INCREASE.==MORE POTENTIAL ACCIDENTS

THERE IS VERY LITTLE MANUEVERING ROOM ON HWY 35 ,COMPARED TO 93. THE SHOULDERS ARE PRACTICALLY NON-EXISTENT . THE ROAD ITSELF IS NARROW AND WAS NEVER CONSTRUCTED ANTICIPATING THAT THIS WOULD BE MAJOR TRUCK ROUTE!. WHERE THERE ARE GUARD RAILS ,THE PROBLEMS ARE EXACERBATED. IF THERE ARE BICYCLES ON THE ROAD [SUMMER ] AND A TRUCK IS ON A BLIND CURVE AND NATURALLY SWINGS WIDE –THEN WHAT ?

HEAVY TRUCKS HAVE CLEARLY AND UNEQUIVOCALLY CAUSED A DANGEROUS FURROW [WHEEL TRACKS] ON MANY PORTIONS OF HWY 35 . THIS CAUSES ACCUMULATION OF RAINWATER ,SLUSH,ETC.THUS THE POTENTIAL FOR HYDROPLANING OF LIGHTER VEHICLES IS GREATER .NO MENTION WAS MADE OF THIS EXCESS WEAR AND TEAR ON 35 WAS PROVIDED . DATA ON WEAR /REPAIR COSTS SHOULD BE PROVIDED AT THE NEXT MEETING..

FURTHERMORE THE ABOVE MENTIONED GROOVES IN THE ROAD, MAKE TOWING TRAILERS PROBLEMATIC ,AND AS WELL, DANGEROUS FOR TRUCKS WITH TRAILERS ,OR PUPS.. THESE TRAILERS CAN AND DO HIT GROOVES AND SWAY INTO ONCOMING TRAFFIC CREATING PROBLEMS.

SOLUTIONS ?

WHETHER IT LEGALLY MATTERS ,OR NOT ,DESIGNATE HWY 35 AS A SCENIC HIGHWAY.

CURTAIL THROUGH TRUCK TRAFFIC ON HWY 35. THUS ,IN GENERAL ,ELIMITINATE LOADED LOGGING TRUCKS [stacked empties ok] ,CHIP TRUCKS WITH TRAILERS, GASOLINE/DIESEL TANKERS EITHER WITH TRAILERS ,OR PUPS. THERE WOULD PREFERABLY BE A LIMIT ON THE NUMBER OF AXLES ON TRAILERS, LENGTH OF THE TRAILER AND GVW. IT WOULD BE HELPFUL TO LIMIT BOX TRAILERS TO 2 AXLES AND OR 30 FOOT LENGTH.

ALLOW ;; LOCAL DELIVERY VANS /TRUCKS,GROCERY TRUCKS WITH SINGLE BOX TRAILERS,CHERRY FARM RELATED TRUCKS /TRAILERS [these are local anyway]

THIS SCENARIO WOULD ELIMINATE MANY OF THE PROBLEMS WITHOUT CATEGORICALLY ASKING THAT ALL TRUCKS BE ELIMINATED.

THANK YOU FOR YOUR CONSIDERATON.

SINCERELY ,





June 18, 2008

Dwane Kailey  
Montana Dept. of Transportation  
Missoula District Office  
PO Box 7039  
Missoula, MT 59807-7039

Dear Mr. Kailey:

Thank you for hosting public meetings in early June to begin a discussion about options for protecting Flathead Lake and residents around the lake from hazardous materials spills resulting from trucking accidents. We appreciate the preliminary information you provided at those meetings.

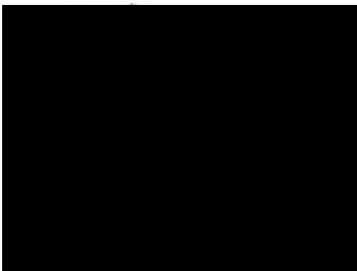
 nonprofit organization working to protect clean water, healthy ecosystems and lasting quality of life in the Flathead Watershed. Our organization was founded in 1958 and currently has over 1,300 members.

Flathead Lake is a unique and valuable resource that provides significant economic, environmental and recreational benefits to our communities and state. Numerous polls, surveys and focus groups have shown that maintaining clean water in Flathead Lake and its connected river system is a top priority for Flathead residents. Such a unique resource deserves special consideration and safeguards.

Although the information provided at the public meetings is a good start, we believe additional information is needed to make an informed decision about potential options for modifying highway or trucking regulations and other options to better prevent hazardous spills. We request that the Montana Department of Highways conduct a comprehensive analysis of highway conditions and use (including the amount and kinds of hazardous materials transported), impacts and costs of the April spill, documentation of previous spills, and a thorough evaluation of various alternative remedies (including potential highway improvements, limiting speeds in areas in proximity to the lake, prohibiting "pup" trailers, limiting hazardous materials transport, and increasing enforcement of regulations). This analysis should include an evaluation of the environmental and economic impacts of various alternatives, including a no-action alternative.

We appreciate your efforts to improve safety and protect Flathead Lake.

Sincerely,



June 11, 2008

Dwane Kailey  
Missoula District Administrator  
MDT Missoula Office  
PO Box 7039  
Missoula, MT 59807-7039

Mr. Kailey,

I attended the Polson information meeting concerning Highway 35 and would like to add my comments.

[REDACTED] to deliver product and one semi to bring in raw materials. Our bulk cement powder comes from Missoula. I instruct my trucks to use Highway 35 if they are going south of Polson because it is more efficient than using 93. I drive my own trucks as well as get input from my drivers and we do not feel that there is a safety issue because of the design of Highway 35. We have had better experience on Highway 35 than we have had on Highway 93 and the information presented by Mr Lynch backs this up. Per capita there are fewer accidents on Highway 35. Personally I like the idea of my trucks driving the slower speed limit.

The residents that live on Highway 35 would like to see the road shut down to all thru truck traffic which would route all the truck to 93. This would only create a bad situation in another spot. It seems like the residents are using 2 truck accidents, caused by poor judgment, to work their own personal agenda.

Thank You,

[REDACTED]



June 4, 2008

Jim Lynch, Director  
Montana Department of Transportation  
2701 Prospect Avenue  
P. O. Box 201001  
Helena, MT 59620-1001

Re: Truck Use of Hwy 35

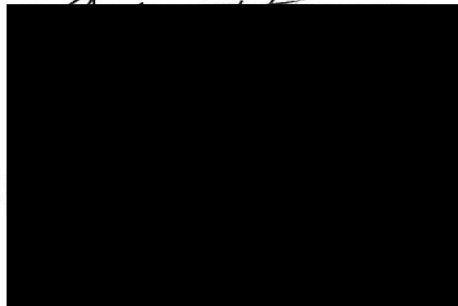
Dear Mr. Lynch,

Sometimes bad things happen for a reason. The recent tanker spill and later semi-truck accident on Hwy 35 are unfortunate but do serve to raise the awareness of the dangers of moving pollutants and toxic materials close to bodies of water like Flathead Lake. Our State has an obligation to anticipate future dangers and act accordingly.

Enforcement has always been a challenge with limited funds for patrols, whether State or County. This is the time when the trucking industry can stand up to be accountable, responsible, and show leadership. The truckers who speed, tail gate, and immaturely screech their compression brakes at every Compression Brake Muffler sign give the trucking industry a bad reputation. It's time fellow truckers took reckless and immature drivers aside and set them straight. Our experience is that most truckers are good drivers, respect the laws and should be respected for this. Please let's:

- Route all trucks carrying pollutants, flammable, or toxic materials to US 93, with the exception of local traffic allowed on Hwy 35.
- Restrict "pups" or double trailers on Hwy 35.
- Change Montana Law to prohibit Compression or Engine Breaks in unincorporated tourist and recreation towns.
- 

Sincerely,





## Comment form

### Safety Public Meetings

Meeting date and time: June 5, 2008; 6:30 – 9:00 pm

Location: BW Kwataqnuq Resort, Polson, MT

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to Dwane Kailey, Missoula District Administrator, MDT Missoula district office, at PO Box 7039, Missoula, MT 59807-7039.. Comments may also be submitted by fax to (406) 494-4396 or online at

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Please indicate your name, address and affiliation (if any) below.  
Thank you for your interest in and comments about this project. Please  
use the back and/or additional sheets of paper if necessary.

Name and address:

P.S. Area for guardrail - mile marker 17 to entrance  
indicated in letter. of Yellow Bay State Park

Comments: See Attached letter



[REDACTED]  
June 12, 2008

Dwane Kailey  
Missoula District Administrator  
MDT District Office  
PO Box 7039  
Missoula, MT 59807-4396

Dear Mr. Kailey:

This letter is being written in reference to the meeting held on June 5th regarding traffic flow on highway 35. First, we felt your presentation was very well prepared and most informative on the usage and statistics needed to make an informative decision or comment on this issue.

In the following comment session, it seemed clear to us that both the east side and the west side of the lake need to be protected. We can't, in good conscience, put one ahead of the other. Also, trucks provide services that we need. We have a home that is heated by propane and we have a holding tank for sewage that needs to be pumped monthly by a truck. Both of these would be in the hazardous waste category.

In conclusion, therefore we feel that the best possible solution is to leave the traffic flow the way it is with the following recommendations. The shoulders of the road should be improved and appropriate places widened wherever possible for safety, protection, and comfort reasons.

Last, we would like to add as a personal consideration and request that a guardrail be installed above the Yellow Bay State Park, Hawbaker, and Tweto property. There have been two vehicular rollover accidents in this area since [REDACTED] 1998 and three before that time. We believe that constitutes a reasonable amount of concern.

Thank you very much for your time and attention regarding this matter.

Sincerely,  
[REDACTED]

July 2, 2008

Mr. Jim Lynch, Director  
Montana Department of Transportation  
2701 Prospect Avenue  
PO Box 201001  
Helena MT 59620-1001

**RE: Truck traffic on Highway 93 and MT 35**

Dear Director Lynch,

I would like to commend you and your agency on the process and information you have provided to the public to deal with a very difficult issue. It was refreshing to attend a public hearing where the agency anticipated the needs of the public, provided unbiased information and focused the meeting on constructive discussion that avoided the emotion and perception based tirades so common in these forums.

In the spirit of exploring possible solutions to the real and perceived problems with truck traffic on Highway 35 and Highway 93 [REDACTED] would support the following activities:

- ***Additional enforcement of existing laws and regulation.*** Enforcement of existing speed limits, weight restrictions, passing zones, safe following zones, use of compression brakes etc... is paramount to keeping our highways safe. Most of the complaints we hear with regard to trucks and vehicle interaction are violations of existing rules and regulations. We support the use of concentration patrols and increased MHP patrol of both highways.
- ***Education and outreach:*** We in the forest products industry learned a long time ago that public perception far outweighs facts and realities! We often refer to this as our "Social License" where our ability to operate is subject to some extent by public perception. To address this issue, we have been very proactive in self policing of our industry as well as reaching out to members of the public both in education and also in receiving constructive criticism. The trucking industry nation wide recognizes the same issues and is starting to address it on our interstate highway systems. The Hwy35 and Hwy93 issue may be the catalysts necessary to jump start a public awareness campaign in Montana.
- ***Improved truck marking:*** One suggestion to consider is to provide more information on the back of trucks such as truck length or messages such as: "*at 65mph it will take 30 seconds and 1/2 mile of road to pass this truck*". Much like the signs that say "*if you can't see my mirrors, I can't see you*", information like this is very helpful to the public in understanding how to interact with these trucks.



- *Improvement of infrastructure:* Your presentation clearly stated that the road infrastructure of neither Hwy35 nor Hwy93 is adequate to handle the projected increase of traffic that can be expected. There is a vital need for a high standard transportation corridor between the Flathead Valley and the Missoula / US 95 corridor. Recent improvements to Hwy 93 have improved safety, but in reality, only for current levels of use. A comprehensive study to determine the best long term solution to maintain this transportation corridor must be undertaken. Both public safety and transportation efficiency need to be considered in the study.
- *Explore incentives to use "preferred truck routes":* Are there incentives we can develop to encourage trucks state wide to utilize designated preferred truck routes that may be better able to handle this type of traffic? We could consider allowing higher legal weights, rebates on fuel taxes, reduced registration costs or other incentives. Ultimately the industry is looking to maximize efficiency. Right now fuel costs and fuel consumption along with hours of operation limitations are driving many decisions. If other incentives could be offered, the benefits of using alternate routes may outweigh the costs.

Some proposals that we would NOT support as solutions to the problem include:

- *Banning or restricting specific load types and trucks from Highway 35:* The ban of specific load types or types of trucks would establish a dangerous precedent for MDT. The suggestion that banning hazardous materials would solve the problem is disingenuous. Without at doubt, Flathead Lake is national gem that deserves protection, however the risk posed by transport of hazardous materials on Hwy 35 is no greater than any other road. There is always a precious resource of some type along any road, whether it is a school, municipal well, wildlife habitat or someone's house. Any accident involving a hazardous material is a tragedy in any location and something to be avoided! Banning this one type of material will not prevent some other tragic accident and sets a dangerous precedent. We would be far better off doing what ever is possible to prevent any and all accidents rather than trying to eliminate a specific risk.
- *Split speed limits on 2 lane roads for trucks and passenger vehicles:* The practice of having split speed limits on two lane roads without passing lanes is dangerous. Your agency identified "speed differential" as a significant concern. It does not make sense to establish this "speed differential" through law on roads that already have potential for passenger vehicle – truck problems.

Once again, I would like to commend the MDT on it's process and procedure for handling this issue. We look forward to continued involvement and urge the department to continue to focus on the needs of public safety and environmental protection and not be distracted by emotional and personal wants as we look towards solutions. The safety, environmental and economic impacts of any potential solutions must be carefully examined and weighed in the decision making process.

STACK

June 15, 2008

Dwayne Kailey  
Missoula Dist. Administrator  
P.O.B. 7039  
Missoula, MT 59807-7039

Dear Mr. Kailey,

Greetings! As a 5-year resident on [REDACTED] Lane (corner where Hwy 35 turns from running east-west to north-south, I've seen at least four accidents on our corner. Two of them involved chip trucks failing to negotiate the curve. Moss Creek and a wetland exist in this area and we're all fortunate that two of the accidents only involved wood chips; as a petroleum wreck in the area would have contaminated if not destroyed a good portion of this ecosystem.

From 2004-7 my employment was in Kalispell and I drove Hwy 35 regularly. More than half the time there would be some sort of commercial transportation ahead of my vehicle. Following trucks pulling pups was an interesting prospect, as more often than not the pup trailer wheels would cross either the yellow center line or kick up a cloud of debris from riding over the shoulder. This was very true on some of the curves. Even more interesting were times when you would have truck-trailers pulling pups coming from both directions. I would always back off from what would be considered a safe driving distance, to an even greater one.

I was always surprised there weren't more accidents on the roadway than there are. While that may be a testimony to the skill of many of the drivers; skill only maintains a precarious situation for so long. The recent fuel spill at mile marker 6 is an excellent example of the principal that shit happens regardless.

Hwy 35 is not designed for tractor-trailer-pup combinations, and pups do not track tractor-trailers as well as they should; especially on narrow, windy roads such as this highway. In my opinion pup trailers should be prohibited on Hwy 35 as should any hazardous material in liquid form. Petroleum products (gasoline, oil and diesel fuel) could continue and are a fact of life as long as our society is carbon dependent.

I will also take this opportunity to comment that it appeared too much emphasis was placed on heavy truck traffic traveling between Polson and the Plum Creek Mill in Columbia Falls during the recent public presentations. The interests of PC should not come in deference to the needs of the public and the safety of preserving the ecosystem of Flathead Lake.

Sincerely,

[REDACTED]



6/10/2008



RE: Highway 35 truck closure or restrictions;

My views on these restrictions are,

- (1.) This is a Federal and State funded highway , When we buy our TAXED fuel we are not told were we can use this fuel.
- (2). This road is as safe as any other like Highway 93 If you have a spill it is headed for the lake on either side of the lake. That is the normal slope of the bed rock.
- (3). Accidents: There is a lot more car and pickup crashes than semi truck crashes, lets limit cars and pickups.
- (4). Economics fuel used is .5 miles per gallon better on HWY 35 . Miles are 3 - 5 miles longer on HWY 93 this is almost 10 dollars a day more per round trip to Missoula in fuel. Then you have more driver pay, more tire costs, more repair costs. HWY 35 is truck friendly for Miles, Fuel, Repairs, Animals, Speed and for other traffic. Have you been in a car and get behind a semi loaded and going up the hills and try to pass and can't you start to get impatient and then make mistakes. This is why I do not like HWY 93 I have had more close calls on HWY 93 for accidents than I have on HWY 35
- (5). Trucks were on HWY 35 long before most of the people bought their piece of Montana on Flathead Lake. NOW THEY DO NOT LIKE TRUCKS ON THEIR HWY 35
- (6). If no trucks or truck restrictions on HWY 35 you can't get gas to Woods Bay, propane to houses for heat, groceries to Finley Point, cherries from the growers, timber from the State School lands. Fire Trucks to fires.

In closing I think you should watch what you ask for. You will get ramifications you never dreamed of and you don't want that can of worms opened up.

Thank You







## Comment form

### Safety Public Meetings

Meeting date and time: June 4, 2008; 6:30 – 9:00 pm

Location: BW White Oak Grand Hotel, Kalispell, MT

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to Dwane Kailey, Missoula District Administrator, MDT Missoula district office, at PO Box 7039, Missoula, MT 59807-7039.. Comments may also be submitted by fax to (406) 494-4396 or online at

[www.mdt.mt.gov/mdt/comment\\_form.shtml](http://www.mdt.mt.gov/mdt/comment_form.shtml).

Please indicate your name, address and affiliation (if any) below.  
Thank you for your interest in and comments about this project. Please  
use the back and/or additional sheets of paper if necessary.

Name and address:

Comments: Thank you for the opportunity to comment.

Thanks to Mr. Jim Lynch and MDT officials for holding the recent and very informative meetings regarding Hwy 35. I was impressed with how quickly data was collected and transposed to graph and chart form..very good work! It was an eye opener for all in attendance I am sure.

It was difficult for me at times to quietly sit and listen to the virtues of the trucking industry when it appears profit margin is the only thing driving their campaign. They boast of safety in a veiled attempt to hide the more pertinent story. Those of us who drive 35 daily know a different reality. You really can't blame the truckers for taking the shortest and cheapest route; it is up to the authorities to impose restrictions. Without restrictions I shutter to think what fragile routes would be taken.

You know.. sometimes there are just more important things than money! The trucking companies are not going out of business by being rerouted any more so than doubling, tripling or quadrupling the cost of fuel has put any of them out of business. Are the profit margins of a very few trucking companies more important than preserving this historic and scenic corridor? How can there even be a debate?

The fact that 35 is a narrow, winding scenic jewel cannot be disputed. Because of our familiarity, perhaps we are all a little guilty of taking this amazing roadway for granted. We hear the descriptions, but do any of us truly understand how extremely special this place really is? Perhaps truckers and politicians alike need to get out of town,, travel the country, travel the world... then one might gain a clearer perspective of just how special, magnificent and fragile our Flathead Valley truly is. Those who have travelled the globe describe this passage as "one of the most beautiful stretches of hi-way in the world"; Shame on Montana for ever allowing heavy over-sized truck travel on such a special forest path; a path which has no shoulders and was never designed to bear the rigors and pounding of heavy truck travel.

Spooky Stang is a special interest lobbyist. He is paid by industry which has one agenda and that is profit. He is paid to eloquently convince transportation officials, legislators and the general public of the virtues of the industry he represents. He touts the trucking industry's interest in safety, but is 35 their avenue of choice because it is the safer route??? I hope you realize his argument would be exactly the same if 35 ran through The Bob Marshall Wilderness. If Spooky Stang could save 5 minutes and 50c transporting through Glacier Park, he would argue in favor of it, while all along describing how safe trucks are. Never have you heard of any trucking company unilaterally agreeing to opt for a more expensive route because of environmental concern to a particular area. I hope we all can clearly understand this agenda. Too bad the lobbyists for the 35 property owners were absent. And where was the Flathead Watershed lobby... what about The Trout Unlimited lobby? How unfortunate in our democratic process that every MDT official knows Mr. Stang by his nick-name and yet few can probably name one property owner along 35. Do homeowners have a say? Come on MDT,, it is up to you ( and you have this opportunity ) to do the right thing and restrict dangerous truck travel over fragile pristine Montana roadways.

Hi-way 35 is primitive in many respects. Yes, you can describe it as functionally obsolete. It is narrow, curvy, no shoulders, and there is little room for error. The road is rough in places and heavy truck travel only contributes to accelerated deterioration of roadway conditions. The Catch 22 vicious cycle begins.

Traveling 35, one enjoys the feel of traveling through a National Park. It is a scenic gem. The state should do all it can to protect and preserve this pristine roadway/corridor. Nothing against the trucking industry but there is a much much more important consideration here than protecting a few trucking company's profit margins.

I have heard the arguments against shifting the burden of truck travel over to 93 and there are many valid points. There is no ideal solution here. I am sure the 93 residents don't want heavy truck travel rumbling by anymore so than the 35 residents... and yes trucks do need to traverse the valley one way or other, I certainly do realize that. But one quick loop around Flathead Lake is all it would take the casual observer to easily determine that although not ideal, 93 is a much better option. It is wider, safer, more modern, it has shoulders and occasional passing lanes.... so much so that the speed limit is much higher on the west side and appropriately so. Few can dispute that 93 is a better option for heavy truck travel. Putting it another way.. given that there would be another truck crash and subsequent fuel spill... and that MDT had the choice beforehand, ( of which side of the lake would in general might be less catastrophic) I think the choice would be clear. It was this way before the fuel spill and it will remain so whether additional restrictions are implemented or not. 93 is a less than ideal choice.... but it is pretty obviously a far better option than 35, unless you are talking about a single issue, carrier profit. I wonder if the property owners recently displaced along 35 are concerned with carrier profit.

The April accident and fuel spill has many times been described as a wake up call. With all due respect to Mr. Lynch and the rest of MDT officials, I hope we don't ( as he described while with his former employ ) roll over and fall back to sleep. Wake-up and smell the gasoline ! How unfortunate it will be if it takes an even bigger and far more devastating tragedy to wake Montanans up to the fact that heavy truck travel on such a narrow mountain road is just a bad idea.

My wish list for 35

- a) eliminate all heavy thru freight truck travel over this pristine Montana hi-way, Polson to Bigfork.
- b) if we cannot eliminate it altogether,, then significantly restrict it to eliminate hazardous or toxic chemical loads, reducing sizes and lengths of carrier.
- c) establish 35 as a friendly, tourist, bike, scenic roadway along gorgeous Flathead Lake,,, because that is exactly what it is !
- d) 50 is a good speed limit for passenger cars, trucks should be restricted further if they are having this much trouble keeping between the lines ( and they are... people who drive this road daily can verify this. )
- e) 35MPH for Bigfork area is appropriate, a great adjustment and much superior than prior 45 !
- f) if trucks are allowed, then a special toll, tax or permit should be required as a precaution against future accidents
- g) worst case scenarios need to be considered. if a tanker flips over the swan river bridge in bigfork and the clean up is projected to be 30 million dollars.. . then fuel transporters should be required to carry 30 million in insurance.



Again I would like to commend the MDT on an admirable job at graphing various scenarios and comparisons which highlight the options we have for truck travel in and out of the Flathead Valley.

In closing, I would like to describe a game our family plays when traveling 35. We look for heavy trucks (with tires) that cross the lines,,, and we keep count. It doesn't matter whether it is white line, ( dust flying, easy observation ) or yellow line ( even easier and far scarier observation ) any cross over is counted. If even one truck crosses over out of lane in one day,,, we count that as a score, and then we keep track of how many consecutive days ( days in a row ) we score. Shockingly our current record is 32 days in a row. The count at present is 16 days in a row and counting... I urge the MDT to participate in this contest yourselves.... while fun may be the wrong word, the contest is easy and revealing. While traveling North or South along 35, keep an eye out for heavy trucks that stray beyond their lanes. Keep track on scorecard if necessary and pay special attention around the hills and curves around Woods Bay ( easy scoring.) Perhaps one additional MDT graph would be advisable here. Again.. 35 is narrow... does it surprise anyone that truckers cannot keep their big rigs between the lines?... This is a scary reality for other travelers as well as property owners along the route. Maybe this would be the most telling graphic of them all?

Please eliminate or at the very least, seriously restrict thru- freight heavy truck travel along one of America's most beautiful, fragile, sensitive and magnificent roadways.

Thank you for the opportunity to comment.



June 3, 2008

Mr. Dwane Kailey  
Missoula District Administrator  
Montana Department of Transportation  
Post Office Box 7039  
Missoula, Montana 59807-7039

Dear Dwane:

For the past 27 years, we have had a summer home on [REDACTED] north of the Polson junction on Highway 35. News reports of the recent gasoline spill which occurred on Highway 35 have focused on the types of vehicles using that highway. It is my understanding that the Montana Department of Transportation will be holding public meetings on this issue in Kalispell and Polson. The purpose of this letter is to strongly suggest that the heavy truck transportation on Highway 35 has been an issue for many of us over the past several years. Highway 35 is a scenic, narrow highway serving the east shore of Flathead Lake. The traffic on Highway 35 has expanded in recent years, including the large trucks often carrying logs and other commercial supplies to Bigfork, Columbia Falls, and Kalispell from Polson.

In my opinion, large semi-trucks pulling tractor trailers should not be allowed to use Highway 35 since the four lanes of Highway 93 on the west shore are much more suitable for that traffic. I have been told that they prefer Highway 35 because it is a shorter distance with fewer inclines than Highway 93; however the risk of accidents is materially increased on Highway 35 by the growing use of this highway by semi-truck traffic. The gasoline spill is tragic, but it does not compare to the risks that passenger vehicles are subject to on a daily basis because of the growing truck traffic.

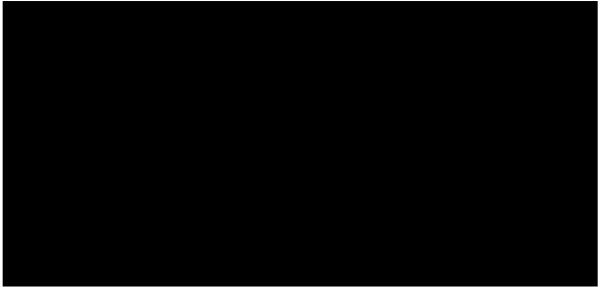
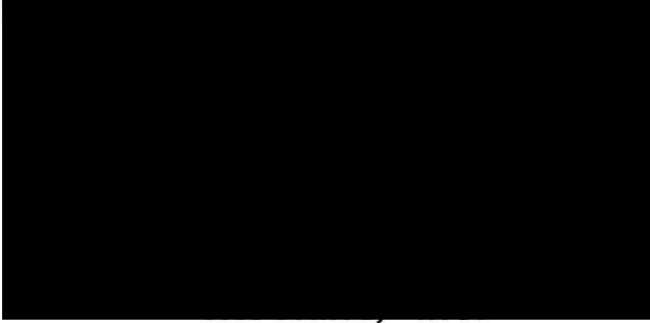
Please give strong consideration to curtailing the truck traffic on Highway 35. It is truly a major safety issue, regardless of trucking economics. Since I will be unable to attend the June 4<sup>th</sup> and June 5<sup>th</sup> meetings in Kalispell and Polson, please enter this letter into the MDT records. Thanks for your consideration.

Sincerely,

[REDACTED]

cc: Jim Lynch, Director, Montana Dept. of Transportation

[REDACTED]



7/7/2008

Montana Department of Transportation  
State Highway Traffic Safety Bureau  
2701 Prospect Avenue  
P.O. Box 201001  
Helena, MT 59620-1001

RE: Commercial Vehicle Usage on MT Hwy 35

We would like to take this opportunity to add our voice to the chorus of concern over the possible restriction of commercial vehicle use of MT Highway 35. We are opposed to any additional restrictions to commercial motor vehicles on this route.

We send 25-30 trucks a week from Missoula to Columbia Falls using Hwy 35 and approximately half to three quarters of these same trucks use Hwy 35 when they leave. If we were forced to take the alternative route up US 93 on the west side of the lake it would add significant cost in both fuel and time to our operations. We would be forced to pass on these costs to our customers many of whom are Montanans. In many cases it additional trucks will be necessary to haul the same amount of goods because the longer route will cause some drivers to run out of available hours to drive. In today's high-cost fuel environment the trucking industry and the Montana consumers need the most efficient transportation process possible in order to survive.

In addition to the cost, the additional fuel consumed would also produce more carbon emissions. As a member of the US EPA SmartWay program we are doing everything possible to reduce our carbon footprint and have achieved their highest rating possible. Restrictions on commercial transportation such as these and any other restrictions around Montana that would snowball out of these changes would counter-productive to our and other SmartWay participants' efforts to be responsible users of diesel fuel.

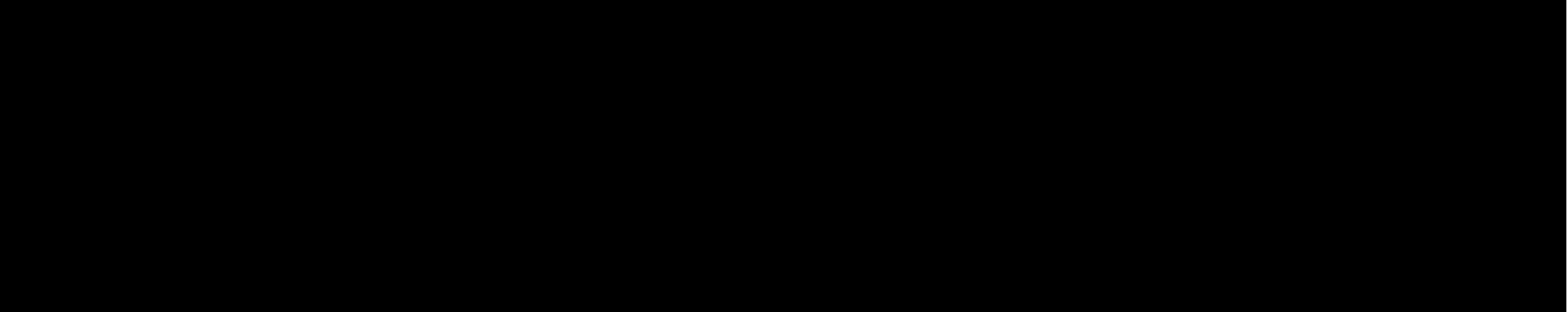
Further we believe it would be unfair to ask the residents along US 93 to shoulder the added noise, pollution, and traffic burden. While we appreciate the concerns of the residents of the East Shore those same concerns can be heard in many other areas of Montana. The East Shore residents need the trucks that travel Hwy 35 for delivery of everything from food to propane. All of Montana citizens benefit from the products that are delivered by truck and we all share in the responsibility to see that they are delivered in the safest, most efficient manner.



The safety record of the trucking industry has improved steadily over the last 10 years. At [REDACTED] we are very proud of our safety record and our corporate safety attitude. We believe that we are and can continue to be responsible partners on Hwy 35 along with other trucks and 4-wheel operators. However, the passenger car and truck community operating on Hwy 35 must shoulder some of the responsibility for safety. Using a radar gun to track speed, one of our sister MMCA members surveyed Hwy 35 driver habits and found a significant percentage of passenger vehicles exceeded the speed limit. Focusing solely on the trucking community alone will not work. We believe the best compromise solution is not restricting commercial traffic but rather an aggressive safety and law enforcement campaign to make all drivers using Hwy 35 responsible, safe operators. Increased signage to remind and warn all drivers and a visible and continual law enforcement presence would go a long way to reducing the number and severity of accidents.

Sincerely,

[REDACTED]



July 7, 2008

Dear Mr. Lynch and Mr. Kailey,

First, we would like to thank you for carefully looking into the total ramifications of the drastic action of restricting large truck traffic on highway 35. We would like to submit some of our concerns for your consideration

Montana is primarily a trucking state. Trucks haul goods of every shape, size and description. Though we have rail service it is limited to specific locations. Many of the "scenic" routes in Montana are only the roads available. There are not alternative truck routes.

Setting a precedent for highway 35 will open the floodgates for more "scenic protection". Yes, Flathead Lake is important, but every locality feels its area is important. What about the "River Runs Through It" Blackfoot corridor? What about the Gallatin River? The Clark Fork? Where would it end?

Roads in Montana were not built for the scenery but for the efficiency of travel. Taking highway 35 out of the equation is a short-sited solution to a growing problem. As more and more people move to Montana the stress on our road system has to be addressed. Many of the summer homes and cabins have become year-round residents. We are driving on roads that were never designed to handle this increased traffic.

So what is the solution? Are we to allow certain privileges to a magical few? Who is more important? Better yet, who decides? What will be deemed commercial? What about fuel taxation if not all roads are available for use?

Have you ever talked to the Smurfit Stone chip trucks drivers about who is courteous? They have horror stories. Are the truck drivers really the problem or are they the easy targets?

In the short term, increase the Highway Patrol coverage. Their presence could prevent many situations. In the long term, it would seem to make more sense to rebuild highway 35 to a higher standard of safety. Making large turnouts, passing lanes, strategic turning lanes and widening shoulders would show that we care about ALL Montanans.

Restricting HWY 35 commercial traffic would have a direct negative effect on this Montana company. Please contact us if you need any of our traffic information or if we can answer any of your questions.

